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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

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5
6 WILLIAM TERRELL, *et al.*,
7 Plaintiffs,
8 vs.

2:11-cv-00142-APG-VCF

ORDER

9 CENTRAL WASHINGTON ASPHALT, *et al.*,
10 Defendants.
11

12 On February 3, 2015, the court will hear oral argument on, *inter alia*, Central Washington Asphalt
13 Inc.'s Motion in Limine (#370). The motion concerns Defendant Hannon's Responses to Zemke's
14 Interrogatories. On November 19, 2012, Defense Counsel allegedly inadvertently served Draft Answers
15 to Zemke's Interrogatories, and not the Final Answers to Zemke's Interrogatories. Defense Counsel argues
16 that he did not discover the mistake until March 27, 2013, after the Draft Answers had been used in at
17 least two depositions.

18 In response, the Slagowski Plaintiffs contend that there is only "one difference" between the Draft
19 Answers and Final Answers: "one sentence of one interrogatory answer." (Doc. #377 at 4:9). However,
20 no party filed copies of the Draft Answers because the Draft Answers are allegedly privileged and
21 "irrelevant to the issues raised." (Doc. #370 at 3 n. 1).
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23 ACCORDINGLY, and for good cause shown,

24 IT IS ORDERED that Central Washington Asphalt must comply with Local Rule 26-7(a) and file
25 a copy of Defendant Hannon's Draft Answers and Final Answers under seal by January 30, 2015.

1 IT IS FURTHER ORDERED that Central Washington Asphalt must highlight or underline the
2 differences between the Draft Answers and Final Answers.

3 IT IS SO ORDERED.

4 DATED this 28th day of January, 2015.

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7 CAM FERENBACH
8 UNITED STATES MAGISTRATE JUDGE
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